

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

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INTELLECTUAL PROPERTY LAW  
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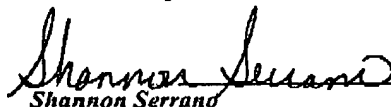
Deliver to: To, Jennifer N., USPTO Art Group: 2195  
Facsimile No.: (571) 273-8300 Date: May 15, 2008  
From: Ashley R. Essick, Reg. No. 55,515  
Our Docket No.: 42PL5752 Number of pages 22 including this sheet.  
Application No.: 10/663,163 Filing Date: 9/15/2003  
Docket Due Date(s): 5/26/2008

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>Response</u> ( <u>19</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( <u>    </u> pgs)	<input type="checkbox"/> Notice of Appeal (in duplicate)
<input type="checkbox"/> Application: <u>                    </u> ( <u>    </u> pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: <u>                    </u>
<input type="checkbox"/> Assignment & Cover Sheet ( <u>    </u> pgs)	<input type="checkbox"/> Request for Continued Examination (RCE) (in duplicate)
<input checked="" type="checkbox"/> Certificate of Facsimile <u>                    </u>	<input type="checkbox"/> Reply Brief ( <u>    </u> pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: <u>                    </u>	<input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other: <u>                    </u>	<input type="checkbox"/> Transmittal Letter

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

  
Shannon Serrano

5/15/2008

Date

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# FEE TRANSMITTAL for FY 2007

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$) 0.00

## Complete if Known

Application Number	10/663,163
Filing Date	September 15, 2003
First Named Inventor	Stephen M. Bennett
Examiner Name	To, Jennifer N.
Art Unit	2195
Attorney Docket No.	42P15752

## METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge fee(s) indicated below, except for the filing fee ☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.  
☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

## FEE CALCULATION

## 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
58	58	0	\$0.00
9	9	210.00	\$0.00

Multiple Dependent

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 50	2202 25	Claims in excess of 20
1201 210	2201 105	Independent claims in excess of 3
1203 370	2203 185	Multiple Dependent claim, if not paid
1204 810	2204 405	**Reissue independent claims over original patent
1205 810	2205 405	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (1)** (\$) 0.00

## 2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1051 130	2051 65	Surcharge - late filing fee or oath
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
2053 130	2053 130	Non-English specification
1251 120	2251 60	Extension for reply within first month
1252 460	2252 230	Extension for reply within second month
1253 1,050	2253 525	Extension for reply within third month
1254 1,640	2254 820	Extension for reply within fourth month
1255 2,230	2255 1,115	Extension for reply within fifth month
1401 510	2401 255	Notice of Appeal
1402 510	2402 255	Filing a brief in support of an appeal
1403 1,030	2403 515	Request for oral hearing
1451 1,510	2451 1,510	Petition to institute a public use proceeding
1460 130	2460 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)
1808 180	1808 180	Submission of Information Disclosure Stmt
1809 810	1809 405	Filing a submission after final rejection (37 CFR § 1.129(a))
1810 810	2810 405	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify)

**SUBTOTAL (2)**

(\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Ashley R. Essick	Registration No. (Attorney/Agent)	55,515	Telephone	(303) 740-1980
Signature	<i>Ashley Essick</i>	Date	05/15/08		

Based on PTO/SB/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 02/28/2007.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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First Named Inventor Stephen M. Bennett  
Examiner Name To, Jennifer N.  
Art Unit 2195  
Attorney Docket No. 42P15752

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☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

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## 1. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	58	0	\$0.00
Independent Claims	9	0	\$0.00
Multiple Dependent			
Large Entity			
Small Entity			
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	50	2202	25
1201	210	2201	105
1203	370	2203	185
1204	810	2204	405
1205	810	2205	405
SUBTOTAL (1)		(5)	0.00

\*\*or number previously paid, if greater. For Reissues, see below

## 2. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
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1403	1,030	2403	515	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
1809	810	1809	405	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	810	2810	405	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)					
SUBTOTAL (2)				(5)	

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Name (Print/Type)	Ashley R. Essick	Registration No. (Attorney/Agent)	55,515	Telephone	(303) 740-1980
Signature	<i>Ashley Essick</i>	Date	05/15/08		

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Based on PTO/SB/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (w/ 02/28/2007).  
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Our Docket No.: 42P15752

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**Bennett et al.**

Application No.: 10/663,163

Filed: September 15, 2003

For: **Optimizing Processor-Managed  
Resources Based On The Behavior  
Of A Virtual Machine Monitor**Examiner: **To, Jennifer N.**Art Group: **2195****AMENDMENT**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed February 26, 2008, applicant respectfully requests the Examiner to enter the following amendments and to consider the following remarks.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

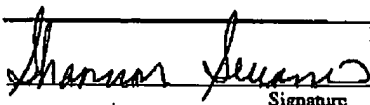
I hereby certify that I am causing the above-referenced correspondence to be transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 on the date indicated below:

May 15, 2008

Date of Deposit

Shannon Serrano

Name of Person Transmitting Correspondence

  
Signature

5/15/08

Date